

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 11/29/2022

JOSEPH ROBB,

Plaintiff,

- against -

ORDER

20 Civ. 10521 (NSR)

JOSEPH BREWSTER, CITY OF POUGHKEEPSIE
POLICE DEPARTMENT, and CITY OF
POUGHKEEPSIE,

Defendants.

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NELSON S. ROMÁN, United States District Judge:

On April 18, 2022, the Court issued an Opinion and Order granting Defendants' motion to dismiss while also granting Plaintiff leave to amend and replead any claims that were dismissed without prejudice. (ECF No. 29.) The Court allowed Plaintiff until May 18, 2022 to file an Amended Complaint consistent with the Opinion and Order. The Court expressly warned that failure to timely file an Amended Complaint or otherwise "show good cause to excuse such failure" would result in the "claims dismissed without prejudice" being "deemed dismissed with prejudice." As of November 29, 2022, Plaintiff is yet to file an Amended Complaint or otherwise "show good cause to excuse such a failure." As a result of Plaintiff's failure to timely file an Amended Complaint, those claims previously dismissed without prejudice are now deemed dismissed with prejudice. Accordingly, the Clerk of Court is respectfully directed to terminate the action. SO ORDERED.

Dated: November 29, 2022
White Plains, New York


NELSON S. ROMÁN, U.S.D.J.